

1895-023 Chancery Causes: Petition of A. R. Carter  
Lee Co.

Pennington

CA-Other  
T-Vices

Additional Information:

Seeking to have divorce decree  
annulled that prohibited  
him for remarrying



To the Hon. Wm. T. Miller, Judge of the Circuit Court for the County of Lee.

Your Petitioner, <sup>A. R.</sup> ~~E. E.~~ Carter, a citizen of Lee County Va humbly praying would respectfully represent unto your honor;

That at the March term of the Circuit Court, for 1893, in a certain chancery cause pending in the said Court, against you Petitioner her<sup>e</sup> by Sarah E. Carter/previous to that time, the wife of your Petitioner, there was a decree entered in the said court in the said cause annulling the bonds of Matrimony previously existing between the said Sarah E. Carter and your petitioner, as will app<sup>ea</sup>ear from an office copy of the said order here filed with this petition, marked "X" and prayed to be considered as a part of this petition.

That in the said order here filed marked as aforesaid your petitioner is prohibited from ever marrying again.

The premises considered your petitioner is advised that under section of the Code of Va. (1887) 2265, for good cause shown so much of the decree which directs that the guilty party shall not marry again, may be revoked and annulled.

Your petitioner will show unto your honor that he has a good cause for having the said decree ~~as xxx~~ so far as it prohibits your petitioner from marrying again, annulled, and here files with this petition the sworn statements concerning the conduct of your petitioner for the time that has elapsed since the rendering of the prohibitory decree, of two good citizens of the said County of Lee with whom your petitioner has lived. Your petitioner prays that your honor will carefully examine the statement of these two witnesses, and see if there is any thing in the conduct of your petitioner why this prohibition should no longer be enforced against your petitioner.

The premises considered and the exhibits and depositions of the witnesses, the prayer of your petitioner is that the said



clause in the said decree prohibiting your petitioner from marrying again be revoked and annulled and that an order be entered allowing your petitioner to marry again if he should see fit to . Your petitioner is a young man, hardly reached the age of 21, he confesses that he committed the sin of adultery, but he alleges that it was but for the single time, and never before nor since has he been guilty of such; he has long since repented thereof, and since that time has tried to lead a moral life and make for his country a good citizen; he thinks it rather hard that he should be compelled to live the unnatural life of a single man with no wife to share his earnings, no children to comfort his home, no help mate to whom he can go for sympathy and no one to cheer him, no one to love him, and no incentive to labor for. Believing that your petitioner surely merits the clemency of your honor's court, he humbly submits himself to your honor's decision, and he will as in duty bound, ever pray &c.

R. A. Carter.

By Pennington Bros. Attys.

Virginia, Lee County, to-wit:

This day R. A. Carter personally appeared before me A. B. Muncy Clerk of the Circuit Court for the County of Lee and made oath that the declarations and representations contained in the foregoing petition are true to the best of the affiant's knowledge and belief.

This \_\_\_\_\_ day of \_\_\_\_\_ 1895.

\_\_\_\_\_  
Clerk.



R. A. Carter,

Ex parte Petitioner

affirmative knowledge and belief.

This \_\_\_\_\_ day of \_\_\_\_\_ 1890.

Clerk.

tailed in the foregoing petition are true to the best of the  
and made oath that the declarations and representations con-  
me A.S. Nancy Clark of the Circuit Court for the County of Lee

This day R. A. Carter personally appeared before  
Virginia Lee County, to-wit:

By Pennington H. H. Adams.

R. A. Carter.

duty bound, ever, perjury &c.

and he himself to your honor's decision, and he will as in  
shamefully merits the clemency of your honor's court, he humbly  
and no incentive to labor for. Believing that your petitioner  
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no children to comfort his home, no help mate to whom he can  
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a natural life and make for his country a good citizen; he thinks  
single repentful thereof, and since that time has tried to test  
never before nor since has he been guilty of such; he has long  
very, but he alleges that it was but for the single time, and  
the age of 21, he confesses that he committed the sin of adul-  
see fit to. Your petitioner is a young man, hardly reached  
entered allowing your petitioner to marry again if he should  
marrying again he revoked and annulled and that an order be  
obtains in the said decree prohibiting your petitioner from



A. R. Carter,      Exparte Petition.

The exparte petition of A.R.Carter praying that the prohibition heretofore entered in the chancery cause of Sarah E.Carter vs. said A.R.Carter, restraining him from again marrying:

The petition of A.R.Carter with the affidavits filed therewith having been seen and inspected by the Court, and the Court being of the opinion that the said petitioner has shown good cause for having the prohibition restraining him from again marrying revoked, entered in the late chancery cause of Sarah E.Carter vs. said petitioner: It is therefore adjudged, ordered and decreed that that part of the said order entered in the Circuit Court of Lee County on the chancery side thereof, on the 9th. day of June, 1893, in the said late chancery cause, restraining the said petitioner from again marrying, be and the same is hereby revoked, annulled and set aside, and the said Carter may again, if he so chooses marry again. And the said A.R.Carter will pay the legal costs of this petition.



A.R. Carter

Ex parte Order

O.B.

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Enter this

March 7<sup>th</sup> 1895

M. J. M.



At a Circuit Court Continued and  
held for Lex Co. ~~at~~ at the Court House  
thurs day Friday, June 9. 1893.

Sarah E. Carter Plff.

N. P. Carter

} See Chancery

This Court came on this the  
9<sup>th</sup> day of June 1893. to be heard upon  
the bill of the Plff., notice having  
been served upon the Dft  
and the defendants & witnesses  
taken by the Plaintiff, and con-  
sidered by the Court and it ap-  
pearing to the <sup>said</sup> Court the Defendant  
has been guilty of the acts of adultery  
it is therefore adjudged, ordered and  
decided that the bonds of matrimony  
heretofore existing between the parties  
be and are hereby annulled,  
vacated, and set aside and  
held void and that the Plaintiff, in  
this action has come to marry a-  
gain but defendant is hereby  
restrained therefrom, and no fur-  
ther action being necessary  
the Court is struck from the  
Docket.

A copy test.

A B Muncy Clerk



Sarah E Carter  
W<sup>th</sup> Copy of Deed  
A. R. Carter

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X<sup>th</sup>

C 28



Virginia, Lee County, to-wit:-

I, J.L. Pennington, a citizen of said County, do hereby swear that I am acquainted with A.R. Carter, and have been acquainted with him all his life; he is about 21 or 22 years old, a fatherless young man, and has been thrown upon his own resources for a living ever since he was quite small. Mr. Carter worked for me nearly a year just past. I found him honorable, industrious and straight. I think he is law abiding and civil. While he was working for me, I never heard of him violating the law in any way. While he lived with me, he attended Sunday School, and I never heard of him in any way misbehaving at Sunday School or at Church. If he has ever had any thing to do with any woman since his wife sued him for a divorce, I do not know <sup>of</sup> it or ~~have I~~ heard of it. I think if he had been running after lewd women, ~~I think~~ <sup>any</sup> I would have heard of it. I think he has conducted himself as well as or better than ~~the~~ <sup>any</sup> ~~that~~ young man in my neighborhood, since his wife brought suit against him for a divorce. If any person is entitled to have the prohibition of marrying again removed, I think Mr. Carter would be entitled to have such restraints removed. This the 26th day of February, 1895.

J. L. Pennington

Virginia, Lee County, to-wit:-

I A.G. Hyatt, a notary public in and for the county and State aforesaid, do hereby certify that J.L. Pennington personally appeared before me in my County aforesaid and made oath to the above statement to which his name is subscribed. Given under my hand this the 28th day of Feb. 1895.

A. G. Hyatt

N.P.



Virginia, Lee County, to-wit:-

I, J.D. Pennington a citizen of this County, do hereby certify ~~tha~~ and swear that I have been acquainted with A.R. Carter most all his life. He is about 21 or 22 years old, and since he was quite small, he has had to support and maintain himself, his father dying when he <sup>was</sup> small. He has worked for me off and on for the last eight years. And I have always found him honorable, industrious and straight. I think he is law abiding and civil. I have not heard of him violating the law since his wife ~~h~~ brought suit against him, much less know of any such myself. ~~He~~ Since his wife has been divorced from him he has been attending a Sunday school of which I am Superintendent, and he has shown interest, and has behaved himself. He does not have the reputation of running after lewd women. Nor ~~I~~ have I ever <sup>heard</sup> him accused of being running after such women. He has now a good reputation.

Given under my hand this the 2nd. day of March, 1895.

*J. D. Pennington*

Virginia, Lee County, to-wit:-

I, A.G. Hyatt, a notary public in and for the County and State aforesaid do hereby certify that J.D. Pennington whose ~~+~~ name is signed to the writing above personally appeared before me in my County aforesaid and made oath thereto. Given under my hand this the 2nd. day of March, 1895.

*A. G. Hyatt*

N.P.



Ex parte petition;  
17.

A. R. Carter.